

Application Serial No. 10/583,881
Reply to Office Action of November 17, 2009

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Docket: CU-4891

REMARKS

In the Office Action, the Examiner rejected claims 1-3, 5-9, and 11-13 under 35 U.S.C. §103(a). The Applicant asserts that the rejections set forth in the Official Action are traversed by argument below.

In the Office Action, the Examiner states that currently pending claims 1, 2, 6, and 12 should be rejected under 35 U.S.C. 103(a) as being unpatentable over Satoru (JP-A-06-142638) in view of Kato (U.S. Patent No. 6,470,898) and currently pending claims 3, 5, 7, 8, 9, 11 and 13 should be rejected under 35 U.S.C. 103(a) as being unpatentable over Satoru in view of Kato and Smook (SMOOK, Handbook for Pulp and Paper Technologists).

The Applicant(s) respectfully disagree(s) with the Examiner.

First, as the invention according to currently pending claim 1 is compared to the disclosures of the references, at least features of "washing the separated paper piece with water in a rotary drum-type washing device so as to eliminate a gypsum component adhering to the paper piece from the paper piece" and "previously dispersing or mixing the separated paper piece into a portion of washing water before the separated paper piece is introduced to the rotary drum-type washing device" as recited in currently pending claim 1 are not disclosed or suggested in any of the references+, in whole or in combination.

In particular, Satoru discloses that "Then, the total amount (1.31 kg) of paper pieces to which the above-mentioned calcined gypsum adhered were thrown into 20 liters of water, slightly stirred and subsequently recovered on a sieve. This operation was repeated three times whereby the calcined gypsum adhering to the paper pieces could be washed out completely and paper pieces to which no gypsum adhered was obtained so that paper pieces available as waste paper could be obtained." in paragraph [0008].

Herein, the disclosure of "This operation was repeated three times whereby the

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calcined gypsum adhering to the paper pieces could be washed out completely" in paragraph [0008] of Satoru would suggest that "cleaning" by a "paper stock cleaning apparatus" as disclosed in Claim 1 of Kato in addition to "This operation was repeated three times" as disclosed in paragraph [0008] of Satoru should not be required.

Rather, the disclosure of "This operation was repeated three times whereby the calcined gypsum adhering to the paper pieces could be washed out completely" in paragraph [0008] of Satoru would exclude a motivation to conduct "cleaning" by a "paper stock cleaning apparatus" as disclosed in claim 1 of Kato in addition to "This operation was repeated three times" as disclosed in paragraph [0008] of Satoru.

That is, it would not have been obvious for those skilled in the art at the time of the invention according to currently pending claim 1 to conduct "cleaning" by a "paper stock cleaning apparatus" as disclosed in claim 1 of Kato in addition to "This operation was repeated three times" as disclosed in paragraph [0008] of Satoru, and thus, respectfully, the Examiner's assertion, at lines 5 to 9 on page 5 of the Office Action, is in error.

Furthermore, the disclosure of "This operation was repeated three times" in paragraph [0008] of Satoru would suggest that one or two time(s) of the "three times" for "This operation was repeated" as disclosed in paragraph [0008] of Satoru would not be replaced with "cleaning" by a "paper stock cleaning apparatus" as disclosed in Claim 1 of Kato.

Rather, the disclosure of "This operation was repeated three times" in paragraph [0008] of Satoru would exclude a motivation to replace one or two time(s) of the "three times" for "This operation was repeated" as disclosed in paragraph [0008] of Satoru with "cleaning" by a "paper stock cleaning apparatus" as disclosed in Claim 1 of Kato.

That is, it would not have been obvious for those skilled in the art at the time of the invention according to currently pending claim 1 to replace one or two time(s) of the "three times" for "This operation was repeated" as disclosed in paragraph [0008] of

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Satoru with “cleaning” by a “paper stock cleaning apparatus” as disclosed in Claim 1 of Kato, and thus, respectfully, the Examiner’s assertion, at lines 10 to 16 on page 5 of the Office Action, is in error. A person of skill in the art would not reasonably expect that by substituting for or in combination the unit of Kato with the unit of Satoru that the paper would be washed.

In addition, if “This operation was repeated three times” in paragraph [0008] of Satoru had been replaced with “cleaning” by a “paper stock cleaning apparatus” as disclosed in Claim 1 of Kato, those skilled in the art would have replaced all of the “three times” for “This operation was repeated” as disclosed in paragraph [0008] of Satoru with “cleaning” by a “paper stock cleaning apparatus” as disclosed in Claim 1 of Kato.

In this case, however, it would not obtain a feature of “previously dispersing or mixing the separated paper piece into a portion of washing water before the separated paper piece is introduced to the rotary drum-type washing device” as recited in currently pending claim 1.

Moreover, “paper stock” as disclosed in Claim 1 of Kato generally means pulp subjected to bating or refining to which a size, filler, dye or the like is added while Smook may disclose “pulp”. Herein, none of “paper stock” as disclosed in Kato and “pulp” as disclosed in Smook should correspond to “paper pieces to which the above-mentioned calcined gypsum adhered” in paragraph [0008] of Satoru. For example, none of “paper stock” as disclosed in Kato and “pulp” as disclosed in Smook could be “recovered on a sieve” as disclosed in paragraph [0008] of Satoru. Accordingly, no motivation to apply a technique for “paper stock” as disclosed in Kato or a technique for “pulp” as disclosed in Smook to a technique for “paper pieces to which the above-mentioned calcined gypsum adhered” as disclosed in Satoru would have been provided to those skilled in the art at the time of the invention according to currently pending claim 1. In other words, it would not have been obvious for those skilled in the art at the time of the invention according to currently pending claim 1 to apply a disclosure of Kato, such as “cleaning” by a “paper stock cleaning apparatus” as disclosed in Claim 1

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of Kato, or a disclosure of Smook to a disclosure of Satoru, such as "This operation was repeated three times" as disclosed in paragraph [0008] of Satoru.

Thus, it would not have been obvious for those skilled in the art at the time of the invention according to currently pending claim 1, to provide a feature of "washing the separated paper piece with water in a rotary drum-type washing device so as to eliminate a gypsum component adhering to the paper piece from the paper piece" and "previously dispersing or mixing the separated paper piece into a portion of washing water before the separated paper piece is introduced to the rotary drum-type washing device" as recited in currently pending claim 1 based on the disclosures of the references.

Therefore, the invention according to currently pending claim 1 and the invention according to any of currently pending claims 2, 3, 5, 6, 7 and 12 depending from currently pending claim 1 directly or indirectly are not obvious over the disclosures of the references, in whole or in combination, for those skilled in the art at the time of the invention.

Second, as the invention according to currently pending claim 8 is compared to the disclosures of the references, at least features of "a rotary drum-type washing device configured to wash the separated paper piece with water so as to eliminate a burnt gypsum component adhering to the paper piece from the paper piece" and "a device configured to disperse or mix the separated paper piece into water before washing the separated paper piece with water" as recited in currently pending Claim 8 is not disclosed or suggested in any of the references.

In particular, Satoru may disclose that "Then, the total amount (1.31 kg) of paper pieces to which the above-mentioned calcined gypsum adhered were thrown into 20 liters of water, slightly stirred and subsequently recovered on a sieve. This operation was repeated three times whereby the calcined gypsum adhering to the paper pieces could be washed out completely and paper pieces to which no gypsum adhered was obtained so that paper pieces available as waste paper could be obtained." in

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paragraph [0008].

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Herein, the disclosure of "This operation was repeated three times whereby the calcined gypsum adhering to the paper pieces could be washed out completely" in paragraph [0008] of Satoru would suggest that "cleaning" by a "paper stock cleaning apparatus" as disclosed in Claim 1 of Kato in addition to "This operation was repeated three times" as disclosed in paragraph [0008] of Satoru is not required.

Rather, the disclosure of "This operation was repeated three times whereby the calcined gypsum adhering to the paper pieces could be washed out completely" in paragraph [0008] of Satoru would exclude a motivation to conduct "cleaning" by a "paper stock cleaning apparatus" as disclosed in Claim 1 of Kato in addition to "This operation was repeated three times" as disclosed in paragraph [0008] of Satoru.

That is, it would not have been obvious for those skilled in the art at the time of the invention according to currently pending Claim 8 to conduct "cleaning" by a "paper stock cleaning apparatus" as disclosed in Claim 1 of Kato in addition to "This operation was repeated three times" as disclosed in paragraph [0008] of Satoru, and thus, respectfully, the opinion of the Examiner, at lines 15 to 19 on page 7 of the Office Action, is in error. It would not have been obvious to additionally wash the agitated used paper of Satoru in the washing device of Kato.

Furthermore, the disclosure of "This operation was repeated three times" in paragraph [0008] of Satoru would suggest that one or two time(s) of the "three times" for "This operation was repeated" as disclosed in paragraph [0008] of Satoru should not be replaced with "cleaning" by a "paper stock cleaning apparatus" as disclosed in Claim 1 of Kato.

Rather, the disclosure of "This operation was repeated three times" in paragraph [0008] of Satoru would exclude a motivation to replace one or two time(s) of the "three times" for "This operation was repeated" as disclosed in paragraph [0008] of Satoru with "cleaning" by a "paper stock cleaning apparatus" as disclosed in Claim 1 of Kato.

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That is, it would not have been obvious for those skilled in the art at the time of the invention according to currently pending Claim 8 to replace one or two time(s) of the "three times" for "This operation was repeated" as disclosed in paragraph [0008] of Satoru with "cleaning" by a "paper stock cleaning apparatus" as disclosed in Claim 1 of Kato, and thus, respectfully, the opinion of the Examiner as written at line 20 on page 7 to line 5 on page 8 of the Office Action is also in error.

In addition, if "This operation was repeated three times" in paragraph [0008] of Satoru had been replaced with "cleaning" by a "paper stock cleaning apparatus" as disclosed in Claim 1 of Kato, those skilled in the art would have replaced all of the "three times" for "This operation was repeated" as disclosed in paragraph [0008] of Satoru with "cleaning" by a "paper stock cleaning apparatus" as disclosed in Claim 1 of Kato.

In this case, however, it would not obtain a feature of "a device configured to disperse or mix the separated paper piece into water before washing the separated paper piece with water" as recited in currently pending claim 8.

Moreover, "paper stock" as disclosed in Claim 1 of Kato generally means pulp subjected to bating or refining to which a size, filler, dye or the like is added while Smook may disclose "pulp". Herein, none of the "paper stock" as disclosed in Kato and "pulp" as disclosed in Smook should correspond to "paper pieces to which the above-mentioned calcined gypsum adhered" paragraph [0008] of Satoru. For example, none of "paper stock" as disclosed in Kato and "pulp" as disclosed in Smook could be "recovered on a sieve" as disclosed in paragraph [0008] of Satoru. Accordingly, no motivation to apply a technique for "paper stock" as disclosed in Kato or a technique for "pulp" as disclosed in Smook to a technique for "paper pieces to which the above-mentioned calcined gypsum adhered" as disclosed in Satoru should have been provided to those skilled in the art at the time of the invention according to currently pending claim 8. In other words, it would not have been obvious for those skilled in the art at the time of the invention, according to currently pending claim 8, to apply a

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disclosure of Kato, such as "cleaning" by a "paper stock cleaning apparatus" as disclosed in Claim 1 of Kato, or a disclosure of Smook to disclosure of Satoru, such as "This operation was repeated three times" as disclosed in paragraph [0008] of Satoru.

Thus, it would not have been obvious for those skilled in the art at the time of the invention according to currently pending claim 8 to provide a feature of "a rotary drum-type washing device configured to wash the separated paper piece with water so as to eliminate a burnt gypsum component adhering to the paper piece from the paper piece" and "a device configured to disperse or mix the separated paper piece into water before washing the separated paper piece with water" as recited in currently pending claim 8 based on the disclosures of the references.

Therefore, the invention according to currently pending claim 8 and the invention according to any of currently pending claims 9, 11 and 13 depending from currently pending claim 8 directly are not obvious over the disclosures of the references for those skilled in the art at the time of the invention.

For the reasons provided above, the Applicant respectfully submits that the claims are non-obvious and allowable and requests that the Examiner withdraw the rejection of Claims 1-3, 5-9, and 11-13 under 35 U.S.C. § 103(a).

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CONCLUSIONS

The Applicant respectfully contends that all conditions of patentability are met in the pending claims. The Applicant respectfully submits that this application should be in condition for allowance. Furthermore, the Applicant respectfully requests favorable consideration.

Respectfully Submitted,



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